

Order

Michigan Supreme Court
Lansing, Michigan

December 15, 2005

Clifford W. Taylor,
Chief Justice

128776 & (22)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128776
COA: 258860
Macomb CC: 76-000437-FY

GERALD LEE HESSELL,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the April 7, 2005 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion to remand to the trial court is DENIED.

KELLY, J., would grant leave to appeal.



p1208

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 15, 2005

Corbin R. Davis

Clerk